

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SHELBY PATTERSON,

Plaintiff,

v.

AMERISTAR CASINO ST. CHARLES
MISSOURI GAMING COMMISSION, et al.,

Defendants.

No. 4:23-CV-573-HEA

OPINION, MEMORANDUM AND ORDER

This matter is before the Court upon Plaintiff Shelby Patterson’s Motion for Voluntary Dismissal. (ECF No. 9). Therein, Plaintiff asks this Court to grant him “a voluntary dismissal without prejudice” of this action, and grant him “permission to refile the action in the appropriate state court.” *Id.* at 1.

The Court construes the Motion as a notice of voluntary dismissal filed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and will grant the motion to the extent Plaintiff seeks to voluntarily dismiss this case without prejudice. Plaintiff does not need this Court’s permission to file an action in state court, so his request for such permission is moot.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s Motion for Voluntary Dismissal (ECF No. 9) is **GRANTED** to the extent Plaintiff seeks to voluntarily dismiss this case without prejudice, and **DENIED** as moot in all other respects.

IT IS FURTHER ORDERED that this case is **DISMISSED**, without prejudice. A separate order of dismissal will be entered herewith.

IT IS FURTHER ORDERED that Plaintiff's Motion to Expedite Proceedings (ECF No. 8) is **DENIED** as moot.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 11th day of April, 2024.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", is written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE